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Fish and Wildlife Service

Migratory Bird Hunting; Supplemental Proposed Rulemaking

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 20]

Migratory Bird Hunting; Supplemental Proposed Rulemaking

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Supplemental proposed rulemaking.

SUMMARY: This document supplements FR Doc. 79-4803, published on February 15, 1979, which notified the public that the U.S. Fish and Wildlife Service proposes to establish hunting season regulations for certain migratory game birds during 1979-80, and provided information on certain proposed regulations. Further information and clarification is provided relative to some regulatory items for which information was not available when the initial document was published. These relate to framework dates for waterfowl seasons; wood ducks; canvasbacks and redheads; zoning in Massachusetts, Pennsylvania, and Tennessee; certain goose seasons; the sandhill crane season in Colorado and areas in Wyoming; and several other issues.

DATES: All relevant comments received no later than June 21, 1979, for regulations proposed for Alaska, Puerto Rico, and the Virgin Islands will be considered. The comment period for early season proposed regulations will end on July 13, 1979, and that for late season proposals on August 20, 1979.

ADDRESS: Comments to: Director (FWS/MBMO), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

FOR FURTHER INFORMATION CONTACT: John P. Rogers, Chief, Office of Migratory Bird Management, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240, 202-254-3207.

SUPPLEMENTARY INFORMATION: On February 15, 1979, the Fish and Wildlife Service published for comment in the **Federal Register** (44 FR 9928) a proposal to amend 50 CFR Part 20. That document dealt with the establishment of seasons, limits and shooting hours for migratory game birds under §§ 20.101 through 20.107 of Subpart K of 50 CFR Part 20. In that document, the Service indicated that additional proposals and considerations developed after publication of 44 FR 9928 would be available for public review. Consequently, this supplemental proposed rulemaking is the second in a series of proposed and final rulemaking documents for migratory bird hunting regulations effective during 1979-80. It deals specifically with a number of supplemental proposals and minor clarifications arising from comments received on the initial proposals, or from new information. These relate to framework dates for waterfowl seasons; wood ducks; canvasbacks and redheads; zoning in Massachusetts, Pennsylvania, and Tennessee; certain goose seasons; the sandhill crane season in Colorado and areas in Wyoming; and several other regulatory matters.

Review of Public Comments and the Service's Response

Forty-six letters dated on or prior to May 16, 1979, the closing date of the public comment period for the February 15, 1979, proposals, were received by the Service. These included letters from 20 State or Commonwealth conservation agencies, 16 from individuals, 7 from organizations, and 3 from waterfowl flyway councils. In some instances, the letters did not specifically mention the open comment period or regulatory proposals. However, because they were received during the comment period and generally related to migratory bird hunting regulations, they were treated as comments. Many communications addressed two or more topics, and in some cases, subjects outside the scope of regulations under consideration. An example of the latter are hunting season dates which are actually selected by State conservation agencies within the Federal framwork. Of the letters, 8 (5 from State conservation agencies and 3 from individuals) concurred with the proposals and offered no other suggestions. The remaining communications recommended modifications to the proposals, or new considerations.

General.

Comments on the procedures followed by the Service in developing the annual hunting regulations were received from Defenders of Wildlife (Defenders) and the Institute for Public Representation (Institute) of the Georgetown University Law Center, Washington, D.C., which identified itself as representing Defenders. Similar views were expressed by Defenders in a letter dated January 17, 1979, prior to the opening of the first comment period on regulations being proposed for the 1979-80 migratory bird hunting season. In essence, Defenders and the Institute asserted that consultations and communications between the Service and the four flyway councils during preparation of the hunting regulations are contrary to the Federal Advisory Committee Act, 5 U.S.C. App. 1, and to several court decisions dealing with *ex parte* communications in informal rulemaking. The two organizations recommended several changes in the Service's procedures for issuing the hunting regulations, including abandonment of Service/Flyway Council consultation activities.

Response. In reply to these claims by Defenders, Mr. James D. Webb, the Department's Associate Solicitor for Conservation and Wildlife, stated in a letter dated May 7, 1979:

> "After a careful review and study of the points raised in your letter, I have concluded that the Flyway Councils are not functioning as "advisory committees" within the meaning of the Federal Advisory Committee Act. The Councils were not established as advisory committees by statute, reorganization plan, or the Service, nor are they being utilized in that capacity by the Service.
> I have also concluded that the Service's contacts with the councils are in compliance with the requirements applicable to *ex parte* communications during informal rulemaking. In this regard, it is my understanding that communications between the Service and the Councils that relate to the substance or merits of the hunting regulations will be placed promptly in the public file for the regulations. In the case of written communications, the documents themselves will be placed in the public file. In the case of oral communications, written summaries which identify the source will be placed in the file."

In its comments, Defenders reiterated its concerns about a number of specific migratory bird subjects including waterfowl shooting hours, the hunting of mourning doves in September, and the status of certain species including the Tule white-fronted goose, canvasback, mallard, black duck, ring-necked duck, scaup, mergansers, sea ducks, goldeneye, and bufflehead. Defenders again recommended that shooting hours commence one-half hour after sunrise and end one-half hour before sunset so that hunters would have adequate light by which to identify birds in flight. An experiment for testing hunter ability to identify waterfowl was suggested.

Response. As noted previously (see 44 FR 9928, February 15, 1979) the matter of shooting hours was extensively reviewed and discussed during the regulatory process for the 1977-78 hunting season, including preparation of an environmental asssessment made available to the public in August 1977. Copies of the assessment are still available upon request to the Office of Migratory Bird Management, U.S. Fish

and Wildlife Service, Department of the Interior, Washington, D.C. 20240. The Director, U.S. Fish and Wildlife Service, concluded on the basis of this assessment that the proposed shooting hours did not constitute a significant impact on the environment. Additional studies were initiated during the 1978–79 hunting season to evaluate the impact of shooting hours, running from one-half hour before sunrise to sunset, on protected species. These studies will be continued during the 1979–80 waterfowl hunting season. Also, cooperative State-Service studies were initiated last year to further evaluate the effects of hunting upon September dove nesting. These studies will continue for at least one more year. An environmental assessment on September dove hunting was prepared by the Service and made available to the public on July 18, 1977. Copies of the assessment are still available upon request to the Office of Migratory Bird management, U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240.

Defenders' concerns about the status of specific waterfowl were summarized and discussed last year in the Federal Register (see 43 FR 22422; May 25, 1978). Most of the species they mention (see above) were addressed at that time. Others were addressed in the proposals published on February 15, 1979 (44 FR 9928), at which time it was noted that further studies or data gathering efforts were presently underway. Thus, consideration has been or is being given to all the species mentioned.

Substantive supplemental proposals and recommendations from the flyway councils, State conservation agencies, and other organizations, and individuals are addressed below under the specific numbered regulations categories listed in 44 FR 9928, February 15, 1979. Only those numbered items for which changes are proposed, or on which substantive comment was received, are listed.

Supplemental Proposals

The following proposals and other modifications are numbered to correspond with the numbered items published in the Federal Register of February 15, 1979.

1. *Shooting hours.* As noted previously, Defenders opposed retention of shooting hours for waterfowl extending from one-half hour before sunrise to sunset. The Mississippi Flyway Council and several States urged retention of these shooting hours. One hunter requested that consideration be given to establishing "standardized" shooting hours which would not change each day in reference to times of sunrise and sunset.

Response. As noted above, the issue of shooting hours has been discussed at length in an environmental assessment and in previous Federal Register publications. In summary, the Service has found no evidence that those portions of the shooting hours, to which objection is made, have a significant adverse effect on protected species. See the Federal Register dated March 10, 1977 (42 FR 13313) and July 22, 1977 (42 FR 37552) for further details. It is the view of the Service that no general modification of shooting hours is necessary or desirable at this time. The Service observes that time of day is not the only factor affecting ability of hunters to identify ducks in flight. Effective utilization of the point system to take advantage of low point birds requires that hunters defer shooting until they have identified the birds to be shot at. This requires judgment on the part of each individual hunter as to the exercise of his skills under different hunting circumstances. The Service notes that a number of States have established "standardized" shooting hours to which there is no objection as long as the actual shooting times are within the one-half hour before sunrise to sunset period. The Service does not consider it necessary or desirable to prescribe such arrangements by Federal regulation.

2. *Framework dates for ducks and geese in the continental United States.* The Upper Region of the Mississippi Flyway Council proposed that season framework dates for its member States begin with the Saturday closest to October 1 instead of October 1 (see Iowa, below), and end on the Saturday closest to January 20 instead of January 20. Also supporting the opening of the framework on the Saturday closest to October 1 was a petition submitted on behalf of 90 Minnesota waterfowl hunters, and a communication from the Minnesota Waterfowl Association, Inc.

Response. The Service notes that these framework dates are similar to those in the Central and Pacific Flyways. The Service proposes to consider this change based on further information and consultation with affected States and others.

Iowa proposed and the Upper Region of the Mississippi Flyway Council endorsed that it be permitted to hunt ducks for several days during the period September 20 through September 30; the days taken during this period to be subtracted from the total days allocated for the regular waterfowl hunting season which customarily begins no earlier than October 1. All ducks which may legally be taken during the regular season could be taken during the September period but the primary objective is to provide opportunity to harvest blue-winged teal which migrate early and are generally not available in Iowa during the regular season dates. The proposal was initiated by Iowa in 1978 as an alternative to the special September teal season available to some States but not to Iowa or other designated waterfowl production States. It was deferred pending further consideration by the Council and the Service. If approved, it would be subject to a three-year evaluation.

Response. The Service is of the view that this proposal should be considered for implementation on a trial basis in Iowa, on the grounds that it appears to have merit as a potentially desirable alternative to the special September teal season. The Service will consult further with Iowa regarding more specific details and will consider other comments and views on the matter.

The Lower Region of the Mississippi Flyway Council generally endorsed season framework dates of October 1 through January 20 for its member States but recommended that the framework date for Mississippi be extended to January 31, 1980, on an experimental basis. The recommendation is based on a belief that the migration of mallards and wood ducks into that State has been delayed in recent years because of agricultural and management practices in the northern United States. The Council recommended that the relaxation in Mississippi, if allowed, be monitored by a plan mutually agreeable to the Service and Mississippi. Alabama also wrote that it favored a duck hunting season framework which would run to the end of January. However, the Council recommendation is limited to the State of Mississippi.

Response. This recommendation will be given further consideration by the Service based on additional information and consultation with the State and the Flyway Council and comments from other interested parties.

Several other comments related to framework dates. Several hunters urged that seasons opening in September be permitted. One hunter asked that the waterfowl season be left unchanged.

A northern Michigan hunter requested that earlier goose seasons be allowed as the bulk of the migration has passed by the time the season opens. Maine urged that the Wednesday noon opening be reinstated on the ground that it would reduce opening day hunting pressure for the benefit of the resource and the public. No Atlantic Flyway Council

recommendation on the subject was received.

Response. The Service will further consider these recommendations based on additional information, and consultation, and in the light of comments from interested parties.

One individual in the Pacific Flyway expressed opposition to waterfowl seasons which in some years extend to January 23 on the ground that such seasons may have an adverse effect on duck breeding behavior.

Response. The Service has no information to indicate that such seasons are adverse to breeding duck biology. Further, duck populations in the Pacific Flyway have remained at generally satisfactory levels for many years, varying mainly as a result of changes in habitat quality and quantity.

4. *Wood ducks.* The Lower Region of the Mississippi Flyway Council has proposed that Kentucky, Mississippi, and Tennessee hunters be permitted to take two wood ducks during the special September teal season in addition to the four teal normally allowed. The main purpose of the request is to allow additional harvests of southern wood ducks, which appear to be subjected to low hunting pressure, prior to the influx of wood ducks breeding in northern areas. In support of the request, Kentucky has stated that the wood duck population in its State is very satisfactory, the species comprises less than 5 percent of the statewide duck harvest, and that additional opportunity for legal harvest of wood ducks is desirable.

Response. A similar proposal was presented along with justification by Tennessee in 1978. The Service is of the view that, pending more thorough and extensive review and consideration involving other States that participate in special September teal seasons, it is inadvisable at this time to expand such seasons to include species other than teal. An alternative approach to providing additional opportunity to harvest wood ducks produced in southern breeding areas is presently available. During the 1978–79 season, southern States in the Atlantic Flyway (Florida, North Caroline, South Carolina, and Virginia) and the Mississippi Flyway (Alabama, Arkansas, Georgia, Kentucky, Louisiana, Mississippi, and Tennessee) were allowed to designate, experimentally, up to 9 days of their regular duck season between October 1 and October 15, during which no special bag limit restrictions were placed on wood ducks. It is anticipated that this option will be continued in the 1979–80 hunting season.

11. *Canvasback and redhead ducks.* In the **Federal Register** dated February 15, 1979 (44 FR 9934), the Service announced receipt of a proposal from Virginia on behalf of the Atlantic Flyway Council. The proposal would provide for a subseason of 8 to 15 days on male canvasbacks and male redheads in portions of Virginia, Maryland, New York, and North Carolina where canvasbacks normally winter. In States selecting the point system, males of these species would be assigned 25 points; in States selecting conventional regulations, four male birds singly or in the aggregate of these species could be taken within the overall bag limit. A more recent communication from the Atlantic Flyway Council endorsed the proposal and provided additional details.

Response. The Service will further review the proposal and consider this on the basis of additional information and consultation and in the light of comments from interested parties.

The Central Flyway Council recommended that North Dakota and South Dakota be permitted the option of one canvasback or one redhead per day under conventional regulations or allocations of 100 points each for canvasbacks and redheads in the daily bag and possession limits statewide under the point system, except that specific areas of high canvasback use be closed to all duck hunting.

Response. The Service does not presently favor this proposal because: (1) No criteria are given for designating the areas of high canvasback and redhead use; (2) the prohibition of all duck hunting on these areas may represent an excessive and unnecessary restriction; and (3) the current year's survey data are not yet available for consideration. The Service favors continued use of the area closure concept should the results of the current year's surveys justify continued special protection of the two species.

Two other public comments were received on these species. Defenders of Wildlife expressed general concern about the status of canvasbacks. A sportsmen's club in Minnesota requested that consideration be given to abolishing the canvasback and redhead closure area in Sibley County, Minnesota, because few ducks of these species migrate through the area during the fall.

Response. The Service notes that hunting regulations for these species will be proposed later after all available information on breeding population size, habitat conditions, current production and harvest has been assembled and evaluated. Additional information is being solicited on the abundance and distribution of the two species in Sibley County.

12. *Zoning.* In the **Federal Register** dated February 15, 1979, the Service proposed to continue offering States in the Atlantic and Mississippi Flyways the option to divide their States into two zones for the purpose of establishing differential, full-length hunting seasons. The criteria for the experimental zoning studies were also described in detail.

Massachusetts proposes to initiate a zoning study which would meet the Service's criteria (also see "Other" item). The request is supported by a detailed plan, copies of which are available from the Massachusetts Division of Fisheries and Wildlife. Under the proposal, coastal and inland hunting zones would be established.

Pennsylvania asked that it be permitted to experimentally designate a Lake Erie Waterfowl Hunting Zone, defined as the Pennsylvania waters of Lake Erie and the adjoining land 150 yards inland from the Lake Erie shoreline. This request was also supported by a detailed plan, copies of which are available from the Pennsylvania Game Commission.

Tennessee, through the Lower Region of the Mississippi Flyway Council, asked that it be permitted to participate in experimental zoning of duck seasons in Lake and Obion Counties (or restricted areas in these counties) and the remainder of Tennessee. Ducks migrate into and depart from the Reelfoot Lake area earlier than elsewhere in Tennessee. Supporting data and information are given in a report available from the Tennessee Department of Wildlife and Fisheries.

Response. The Service has the zoning requests for Massachusetts, Pennsylvania, and Tennessee under consideration and will defer action for now pending additional information, consultation and comments from interested parties.

Two communications from the Chautauqua Lake Area Waterfowlers, New York, were critical of the duck seasons in effect during recent years because they did not coincide with peaks of waterfowl abundance.

Response. By agreement between the Service and the State, New York embarked upon a zoning study in the 1976 hunting season in which duck hunting seasons are set separately for three different zones in the upstate area of the State. The study is still underway and depending on its continuation, it appears that ample opportunity is available for the selection of season

dates desired by most hunters in each zone.

The Upper Region of the Mississippi Flyway Council recommended that Ohio be permitted to split its waterfowl seasons within each of its two zones for a new three-year experimental period commencing with the 1979–80 season. This change would enable seasons to be set to coincide with the availability of locally produced wood ducks and migrant waterfowl.

Similarly, the Upper Region of the Mississippi Flyway Council recommended that Illinois be permitted to establish its goose season in its South Zone and outside the Canada goose quota zone to run concurrently with the regular duck season. This change would simplify hunting regulations in most of the South Zone but not markedly alter the harvest of Canada geese, which occurs in the four southern counties comprising the quota zone. This modification would also be evaluated for a 3-year period.

Alabama reiterated is request that it be permitted to split the duck season in its South Zone, which is comprised of Baldwin and Mobile Counties. The Lower Region of the Mississippi Flyway Council offered no views on the proposal.

Response. The Service will consider these proposals for implementation in the 1979–80 hunting season based on further information, consultation, and comments from interested parties.

Two hundred ten persons signing a single petition requested the Service to change the boundary separating the North and South Zones of Missouri. They requested that the Lake of the Ozarks Region be transferred from the North to South Zones, stating that waterfowl do not migrate to the area until after the hunting season in the North Zone terminates.

Response. The Service notes that the three-year zoning study in Missouri will be going into its third year this season and that for evaluation purposes the zone boundaries should not be changed until the study period has ended and all available information examined.

13. *Goose and brant seasons.*—a. *Atlantic Flyway.* New Jersey has proposed that the snow goose season be continued at 70 days but that the daily bag limit be increased from 2 to 5. This is similar to a 1978 proposal by New Jersey and is based on a belief that the population is increasing and is beyond the capacity of wintering habitat to support it, resulting in damage to marshlands, crop depredations, starvation among the snow geese, and conflicts with other species. Delaware recommended that the season framework for snow geese be extended to January 31 and increased from 70 to 90 days so that the hunting season could be selected to better coincide with the period during which these geese damage agricultural crops and saltmarshes, and be contiguous with the 90-day hunting season for Canada geese in the Delmarva area. A representative of a New Jersey waterfowlers' association also favored raising the daily bag limit of snow geese to 5 birds as a means of generating additional hunting interest to control the population expansion.

Response. The Service is of the view that changes in seasons and bag limits for these geese should be considered in the light of information on production success which will not be available until later in the year. These geese nest in high Arctic areas where snow and ice conditions sometimes greatly limit annual production. Action on this request is deferred pending receipt of additional information on 1979 production.

New Jersey also proposed that Canada goose seasons and bag limits, extended to 90 days and 4 birds daily in southern New Jersey last year, be applied Statewide based on a belief that there are throughout the State increasing complaints about crop depredations.

Response. The same response provided above for the relaxation of snow goose regulations are also pertinent to this proposal for Canada geese. In addition, the Service believes that additional rationale and data should be provided to support New Jersey's recommendation for statewide application of more liberal Canada goose regulations.

b. *Mississippi Flyway.* For the Mississippi Valley Population (MVP) of Canada geese the Upper Region of the Mississippi Flyway Council has proposed harvest quotas in Illinois and Wisconsin in 1979 of 35,000 birds, a reduction from the 50,000 bird quota in effect last season.

Response. The Service customarily considers harvest recommendations from the Councils in the process of establishing hunting regulations for the MVP and certain other populations of Canada geese where the councils take the lead in acquiring information and monitoring the status of the populations involved. The Service has reviewed and concurs with the above proposal which is consistent with recommendations of the Council's MVP Committee, and with a flyway management plan recently developed for this population.

The Lower Region of the Mississippi Flyway Council has proposed that the harvest quota of 15,000 birds for MVP Canada geese in Kentucky be eliminated in accordance with a request from Kentucky because it has not been attained in past years. Kentucky would continue to monitor harvests in Ballard County where most of the goose hunting and harvest occurs.

Response. The Service will give further consideration to this proposal but is of the view that the harvest quota should be retained since it will not unduly restrict harvest in Kentucky.

c. *Central Flyway.* A South Dakota hunter has proposed that South Dakota be permitted to establish goose hunting zones in response to changes in goose distribution and migration apparently caused by reservoirs on the Missouri River, irrigation, and increased corn production.

Response. It appears that this proposal relates primarily to harvest management of the so-called Western Prairie Population of Canada geese. A management plan for this population was recently completed by the Service and the Canadian Wildlife Service and endorsed by the Central Flyway Council. The Service is of the view that the objectives outlined in the plan should provide the basis for any changes in management strategies, including zones, seasons, and harvests. At present the need for separate hunting zones is unclear.

d. *Pacific Flyway.* In the **Federal Register** dated February 15, 1979, the Service proposed goose seasons and limits generally similar to those in effect the previous year but stated that specific proposals would depend upon more current data and information. The Service also noted concern about the status of lesser snow geese which breed on Wrangel Island, U.S.S.R., and white-fronted geese. Also, it is possible that consideration of additional information for the endangered Aleutian Canada goose may require modifications in the protective measures recently in effect. The Service solicits further information on these various geese.

14. *Whistling swans.* Deleware has recommended that the Service prepare an environmental assessment to document the advisablility of a hunting season on whistling swans in portions of the Atlantic Flyway.

Response. While the Service believes the hunting of whistling swans in portions of the Atlantic Flyway may be biologically justifiable, there is not, at this time, a consensus that hunting should be initiated and it does not appear to be a high priority management need.

15. *Sandhill cranes.* Colorado has requested that it be permitted to set its 37-day sandhill crane hunting season within the framework of the Saturday closest to October 1 and the Sunday closest to November 20. The slightly later season possible under this framework would better coincide with the presence of sandhill cranes in eastern Colorado. In recent years the Colorado harvest has averaged about 100 birds and it appears that this modification should result in little additional harvest. No whooping cranes have been observed in eastern Colorado in recent years, and the San Luis Valley where whooping cranes of the Grays Lake, Idaho, population stage during their fall migration, would remain closed to hunting.

Sandhill crane hunting in Wyoming is restricted to Goshen and Platte Counties in the eastern part of the State. Wyoming has requested that the eastern counties of Crook, Laramie, Niobrara, and Weston be added to this area, that the season be extended from 30 to 37 days, and that the framework be the same as that requested by Colorado. The Wyoming harvest of sandhill cranes has been only about 10 birds annually in recent years.

Response. The Service proposes to further consider these recommendations, taking into account any additional information and comments that may be developed.

20. *Woodcock.* Maine repeated its concern about the status of this species in the northeast, and suggested that consideration be given to shortening the hunting season framework in the Atlantic Region.

Response. The Service is aware of recent concern about the status of the woodcock population in the Atlantic Region. Investigations have recently been initiated aimed at better understanding their status and factors that may be affecting it. The Service is of the view that pending further progress with the investigation it would be desirable to avoid manipulations, including changes in hunting regulations, that might unnecessarily complicate interpretation of findings.

21. *Band-tailed pigeons.* California has requested that Alpine County be added to the 13 northern California counties which are offered an early hunting season for band-tailed pigeons. The area is frequently subjected to snowfall in late October which restricts harvest opportunities when late seasons are set.

Response. The Service is of the view that this change in California would be of little or no consequence in regard to the status of the Coastal band-tailed pigeon population. Consideration will be given to making this change pending additional information and comment.

22. *Mourning doves.* This February (44 FR 9936), the Service proposed to retain the same regulations which were in effect during the 1978–79 hunting season. Defenders of Wildlife repeated its concern about the hunting of mourning doves in September.

Response. As noted earlier, an environmental assessment has been prepared on dove hunting in September. Defenders' concerns have been addressed repeatedly in the **Federal Register** in the past, and the Service has embarked upon a cooperative nationwide study of mourning dove nesting in September and throughout the year. Information gathered in 14 States in 1978 indicates a mean daily survival rate of eggs and nestlings on hunted areas of 95.2 percent compared with 95.4 percent on non-hunted areas. This study is still underway. The Service is of the view that any changes in hunting regulations that might be considered should be based on the findings of the study.

25. *Migratory game birds in Puerto Rico and doves and pigeons in the Virgin Islands.* The Virgin Islands Department of Conservation and Cultural Affairs has requested that the proposed season framework for the Zenaida dove (*Zenaida aurita*) be changed to permit hunting prior to September 1.

Response. The Service notes that the provisions of the U.S.-Canada migratory bird treaty and the Migratory Bird Treaty Act prohibit hunting of designated migratory game birds, including the Zenaida dove, between March 10 and September 1 each year. A solicitor's opinion rendered in 1976 concluded that these treaty restrictions also applied to the Virgin Islands and Puerto Rico. These provisions appear to preclude consideration of the Department's request.

26. *Migratory game bird seasons for falconers.* In response to the Service's proposal to retain regulations in effect the past year, Maryland urged that consideration be given to allowing extended falconry seasons outside the framework dates applicable to other hunters using other means of taking. No other comments were received.

Response. The Service is of the view that it is desirable to maintain the previously established frameworks for several years in order to facilitate evaluation of falconry hunting seasons. It does not appear that this causes any significant hardship to falconers.

27. *Hawaii mourning doves.* The Hawaii Division of Fish and Game has requested that consideration be given to removing several migratory bird species found in Hawaii from the designated list of U.S. migratory game birds. The involved species, although legally defined as migratory, do not make true migratory movements in Hawaii. Justification for the request is that Hawaii would then have greater flexibility in setting hunting regulations for the mourning dove, the only migratory species in Hawaii for which hunting is allowed.

Response. The Service notes that the designated list of migratory game birds is based on species or groups of species identified and included in international migratory bird treaties with Canada, Mexico, Japan, and the U.S.S.R. The Service has no authority to make changes in the species covered.

Other. Massachusetts has requested that as an alternative to zoning, under which separate waterfowl hunting seasons may be set in different designated zones within States, it be permitted to divide a statewide waterfowl season into three segments, the request, if accepted, would be subject to a three-year evaluation. The State envisions that the three-way split season would result in no significant change in waterfowl harvest but would better satisfy hunters. Delaware supported the request that 3-way duck hunting season splits be permitted as an alternative to zoning.

Response. The Service proposes to consider this request for implementation on a trial basis on the ground that it appears to have merit as a potentially desirable alternative to zoning. A decision on this matter will be guided by additional information, consultation, and comment from interested parties.

Two individuals submitted comments on the point system as a means of establishing daily bag limits for waterfowl hunting. One individual recommended against the system and urged that it be abandoned because the order in which birds are taken influences the permissible number of birds allowed hunters. The second individual objected to apparent inequities between the number of cnavasbacks and redheads which can be taken under point system and conventional regulations.

Response. The Service has recognized the problem for some time. There is no indication, however, that the point system has significantly increased the overall duck harvest. The Service believes that both conventional and point system options should be made

available to hunters in the three eastern flyways.

The Service notes further that it is not intended nor is it practical to make the point system exactly comparable to conventional regulations in terms of overall bag limits or bag limits for individual species. While the point system has some liberal aspects not possessed by conventional regulations, other aspects are more restrictive because of the way that birds already bagged count against the opportunity to bag others. From a practical standpoint, the inequities mentioned above are more apparent than real.

One individual recommended that the hunting season be closed on snow geese, without noting whether the lesser or greater snow goose was of particular concern.

Response. In either case, these species appear to be in excellent population status and the Service is of the view that there is no justification for closed seasons.

Public Hearings

The regulatory schedule published in the **Federal Register** dated February 15, 1979 (44 FR 9928), provided information on the two public hearings scheduled for reviewing the proposed 1979–80 hunting regulations and obtaining further public comments and recommendations. In order to further publicize these meetings, details on their date, location, and time are repeated.

Two public hearings pertaining to migratory bird hunting regulations being considered for the 1979–80 hunting seasons are scheduled. Both meetings will be conducted in accordance with 455 DM 1 of the Departmental Manual. On June 21 a public hearing for reviewing proposed hunting regulations for species for which early (opening prior to September 29) seasons are set will be held at 9 a.m. in the Auditorium of the Department of the Interior Building, on C Street, between 18th and 19th Streets NW., Washington, D.C. This hearing is scheduled primarily for the purpose of reviewing the status of mourning doves, woodcock, band-tailed pigeons, white-winged doves, rails, gallinules, and common snipe, and discussing proposed hunting regulations for these species plus regulations for sandhill cranes in some States; migratory game birds in Alaska, Puerto Rico, and the Virgin Islands; mourning doves in Hawaii; September teal seasons; and special sea duck seasons in the Atlantic Flyway. On August 2 a public hearing for reviewing the status of other waterfowl and consideration of proposed regulations for those waterfowl and other migratory game birds for which regulations were not previously formulated will be held at 9 a.m. in the Auditorium of the General Services Administration Building, F Street, between 18th and 19th Streets NW., Washington, D.C. These deliberations will pertain to hunting seasons commencing September 29 or later. The public is invited to participate in both hearings.

Persons wishing to participate in these hearings should write the Director (FWS/MBMO), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240, or telephone 202–254–3207. Those wishing to make statements should file copies of the statements with the Director before or during each hearing.

Public Comments Solicited

The Director intends that finally adopted rules be as responsive as possible to all concerned interests. He therefore desires to obtain the comments and suggestions of the public, other concerned government agencies, and private interests on these proposals.

Final promulgation of migratory bird hunting regulations for the continental United States, Puerto Rico, the Virgin Islands, and Hawaii for the 1979–80 season will take into consideration all comments received by the Director. Such comments, and any additional information received, including consideration of the Endangered Species Act of 1973, may lead the Director to adopt final regulations differing from these proposals. Interested persons are invited to participate in this rulemaking by submitting written comments on these supplemental proposals to the Director (FWS/MBMO), U.S. Fish and Wildlife Service, Department of the Interior, Washington, D.C. 20240. Comments received will be available for public inspection during normal business hours at the Service's office in Room 525A, Matomic Building, 1717 H Street, NW., Washington, D.C.

The comment period for the Service's initial proposals for the 1979–80 hunting regulations was open for 90 days, and ended on May 16, 1979. The Service is of the view that the public should be given the greatest possible opportunity to comment upon proposed regulations; however, it is essential that certain deadlines be met if the annual regulations are to be finalized and cooperating agencies and the public be informed of them. State conservation agencies proclaim companion hunting regulations, within Federal frameworks, and often must conduct public hearings, provide notices of proposed regulations for public comment, and print and distribute their regulations. Satisfying these requirements necessitates shorter public comment periods for the Service's supplemental proposals, particularly those which must be finalized early because of seasons opening in September. Consequently, the Service finds that "good cause" exists, within the terms of 5 U.S.C. 553(d)(3) of the Administrative Procedure Act, for shorter comment periods. Accordingly, the Service prescribes the following public comment periods for these proposed supplemental regulations.

All relevant comments received no later than June 21, 1979, for regulations proposed for Alaska, Puerto Rico, and the Virgin Islands will be considered. The comment period for early season proposed regulations will end on July 13, 1979, and that for late season proposals on August 20, 1979. The Service will attempt to acknowledge received comments, but substantive response to individual comments may not be provided.

NEPA Consideration

The "Final Environmental Statement for the Issuance of Annual Regulations Permitting the Sport Hunting of Migratory Birds (FES 75–54)" was filed with the Council on Environmental Quality on June 6, 1975, and notice of availability was published in the **Federal Register** on June 13, 1975 (40 FR 25241). In addition, several environmental assessments have been prepared on specific matters which serve to supplement the material in the Final Environmental Statement.

Endangered Species Act Consideration

Prior to finalization of the 1979–80 migratory game bird hunting regulations, consideration will be given to provisions of the Endangered Species Act of 1973, and as amended, (16 U.S.C. 1531–1543; hereinafter the act) to insure that hunting does not jeopardize the continued existence of any species designated as endangered or threatened or modify or destroy its critical habitat and is consistent with the conservation programs for those species. Consultations under section 7 of this act may cause changes to be made to proposals in this and future supplemental proposed rulemaking documents.

Non-toxic Shot Regulations

On January 12, 1979, the Service published in the **Federal Register** (44 FR 2629) proposed rules describing non-toxic shot zones for waterfowl hunting for hunting seasons commencing in 1979.

The intended effect of these non-toxic shot zones is to reduce the number of deaths to waterfowl caused by eating spent lead pellets. The final regulations will be published in the **Federal Register** shortly under § 20.108 of 50 CFR and will also be summarized in the Service's waterfowl regulations leaflets to be published late this summer.

Authorship

The primary author of this proposed rule is Henry M. Reeves, Office of Migratory Bird Management, working under the direction of John P. Rogers, Chief.

Exception From Executive Order 12044 and 43 CFR Part 14

As discussed in the **Federal Register** dated February 15, 1979 (44 FR 9929), the Assistant Secretary for Fish and Wildlife and Parks has concluded that the ever decreasing time frames in the regulatory process are mandated by the Migratory Bird Treaty Act and the Administrative Procedure Act. The regulatory process simply has no remaining slack in its timetable between the accumulation of critical summer survey data and the publication of the revised sets of proposed rulemakings. Compliance with the determination of significance and regulatory analysis criteria established under Executive Order 12044 would simply not be possible if the fall hunting season deadlines are to be achieved.

Consequently, the Assistant Secretary for Fish and Wildlife and Parks has approved the exemption of these regulations from the procedures of Executive Order 12044 and 43 CFR Part 14 which is provided for in section 6(b)6 and § 14.3(f), respectively.

Dated: June 8, 1979.

Lynn A. Greenwalt,

Director, Fish and Wildlife Service.

[FR Doc. 79-18416 Filed 6-12-79; 8:45 am]

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AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The following agencies have agreed to publish all documents on two assigned days of the week (Monday/Thursday or Tuesday/Friday). This is a voluntary program. (See OFR NOTICE FR 32914, August 6, 1976.)

Monday	Tuesday	Wednesday	Thursday	Friday
DOT/COAST GUARD	USDA/ASCS		DOT/COAST GUARD	USDA/ASCS
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DOT/OHMO	USDA/FSQS		DOT/OHMO	USDA/FSQS
DOT/OPSO	USDA/REA		DOT/OPSO	USDA/REA
CSA	MSPB*/OPM*		CSA	MSPB*/OPM*
	LABOR			LABOR
	HEW/FDA			HEW/FDA

Documents normally scheduled for publication on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408

***NOTE: As of January 1, 1979, the Merit Systems Protection Board (MSPB) and the Office of Personnel Management (OPM) will publish on the Tuesday/Friday schedule. (MSPB and OPM are successor agencies to the Civil Service Commission.)**

REMINDERS

The items in this list were editorially compiled as an aid to Federal Register users. Inclusion or exclusion from this list has no legal significance. Since this list is intended as a reminder, it does not include effective dates that occur within 14 days of publication.

Rules Going Into Effect Today

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Food and Drug Administration—

59986 12-22-7 / Nonclinical laboratory studies; good laboratory practice regulations

Next Week's Deadlines for Comments on Proposed Rules

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Agricultural Marketing Service—

28806 5-17-79 / Apples grown in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont; Recommended decision; comments by 6-18-79

31189 5-31-79 / Fresh pears, plums, and peaches grown in California; proposed extension of grade and size requirements; comments by 6-19-79

31023 5-30-79 / Fresh pears, plums, and peaches grown in California; proposed extension of grade and size requirements; comments by 6-22-79

Animal and Plant Health Inspection Service—

24863 4-27-79 / Importation of horses; comments by 6-19-79

Commodity Credit Corporation—

29905 5-23-79 / Tobacco Loan Program; 1979 crop grade loan rates for flue-cured tobacco; comments by 6-22-79

[Corrected at 44 FR 30690, 5-29-79]

Farmers Home Administration—

23536 4-20-79 / Insured emergency loans; policies, procedures, authorizations; comments by 6-19-79

Federal Grain Inspection Service—

20164 4-4-79 / Grain standards; comments by 6-18-79

Forest Service—

22759 4-17-79 / Procedures for involving public formulation of standards criteria, and guidelines that apply to Forest Service programs; comments by 6-18-79

Rural Electrification Administration—

22746 4-17-79 / Rural Telephone Program; proposed revised bulletin; comments by 6-18-79

Soil Conservation Service—

25786 5-2-79 / Compliance with NEPA; general procedure; comments by 6-18-79

CIVIL AERONAUTICS BOARD

30104 5-24-79 / Air Carrier certificates; removal of restrictions; comments by 6-22-79

26121 5-4-79 / Direct marketing of charters by air carriers; comments by 6-18-79

18689 3-29-79 / Domestic Passenger-Fare Rulemaking to U.S. Mainland-Hawaii and Intra-Hawaii ratemaking entities; extension of developed policies; comments by 6-19-79

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPED

29136 5-18-79 / Additions to procurement list 1979; comments by 6-20-79

DEFENSE DEPARTMENT

Engineers Corps—

30288 5-24-79 / Implementation of water resource plans; evaluation of national economic development employment benefits; comments by 6-22-79

ENERGY DEPARTMENT

Economic Regulatory Administration—

27668 5-11-79 / Natural gas use by existing powerplants, temporary public interest exemption; comments by 6-22-79

22974 4-17-79 / Submission of reports to DOE by State regulatory authorities and nonregulated electric and gas utilities; comments by 6-18-79

Federal Energy Regulatory Commission—

29090 5-18-79 / Alternative fuel cost ceilings on incremental pricing under Natural Gas Policy Act of 1978; comments by 6-18-79

29101 5-18-79 / Natural Gas Policy Act of 1978, procedures to access civil penalties for knowing violations; comments by 6-18-79

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23885 4-23-79 / Attainment status redesignation request by State of Maryland; comments by 6-22-79

17310 3-21-79 / Clean Air Act; assessment and collection of noncompliance penalties; comments by 6-19-79

29933 5-23-79 / Proposed approval of administrative order issued by Connecticut Department of Environmental Protection to Housatonic Ever-Float Co.; comments by 6-22-79

29934 5-23-79 / Proposed approval of administrative order issued by the Commonwealth of Kentucky, Department for Natural Resources and Environmental Protection to Southwire Aluminum; comments by 6-22-79

29936 5-23-79 / Proposed approval of administrative order issued by Connecticut Department of Environmental Protection to Deitsch Laminating Co., Inc.; comments by 6-22-79

29932 5-23-79 / Texas emission offsets; approval and promulgation of implementation plans; comments by 6-22-79

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24587 4-26-79 / Allen, S. Dak., TV broadcast table of assignments; comments by 6-18-79

29127 5-18-79 / Aviation and marine services, use of marine VHF frequencies by aircraft; comments by 6-18-79

21021 4-9-79 / Changes in the rules relating to noncommercial education FM broadcast stations; reply comment date extended to 6-18-79

[Originally published at 43 FR 27662; 6-26-78]

21044 4-9-79 / FM broadcast station Ava, Ill.; proposed changes in Table of assignment; reply comments by 6-21-79

21045 4-9-79 / FM broadcast station in Beloit, Kans.; proposed changes in table of assignments; reply comments by 6-21-79

21046 4-9-76 / FM broadcast station in California, Missouri; proposed changes in table of assignments; reply comments by 6-21-79

21047 4-9-79 / FM broadcast station in Palmyra, Mo.; proposed changes in table of assignments; reply comments by 6-21-79

30134 5-24-79 / Marine vessel steering stations; availability of compulsory radiotelephone equipment; comments by 6-18-79

24588 4-26-79 / Nev. and Mo. FM broadcast table of assignments; comments by 6-18-79

25245 4-30-79 / Reconsideration of provisions on applications for certificates of compliance and Federal-State/local regulatory relationships; comments by 6-18-79

25244 4-30-79 / Television broadcast station in Dayton, Ohio; changes in table of assignments; comments by 6-18-79

21048 4-9-79 / Television broadcast station in Dillingham, Alaska; proposed changes in table of assignments; reply comments by 6-21-79

21050 4-9-79 / Television broadcast station in San Jose, Calif.; proposed changes in table of assignments; reply comments by 6-21-79

24589 4-26-79 / TV broadcast station in Orange Park, Fla.; comments by 6-18-79

FEDERAL RESERVE SYSTEM

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24864 4-27-79 / Bank holding companies and changes in bank control; comments by 6-20-79

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23888 4-23-79 / Eligibility of foreign medical schools under guaranteed student loan program; comments by 6-22-79

Food and Drug Administration—

23044 4-17-79 / Reimbursement for participation in administrative proceedings; comments by 6-18-79

22752 4-17-79 / Requirement for Estrogens labeling directed to the patient; comments by 6-18-79

23539 4-20-79 / Sodium stearoyl-2-lactylate; food additive provisions; comments by 6-19-79

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23095 4-18-79 / Medical Assistance Program; Reasonable cost-related reimbursement for skilled nursing and intermediate care facility services; comments by 6-18-79

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23094 4-18-79 / Mutual mortgage insurance and insured home improvement loans; proposed mortgagee approval eligibility requirement; comments by 6-18-79

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23800 4-20-79 / Delivery of one- to four-family properties occupied by tenants or former mortgagors; comments by 6-18-79

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29128 5-18-79 / Endangered and threatened wildlife; review of status of ten birds and two mammals from Guam; comments by 6-17-79

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29636 5-22-79 / Education personnel; comments by 6-21-79

29632 5-22-79 / Indian education policies; comments by 6-21-79

29642 5-22-79 / Indian School equalization program; comments by 6-21-79

29634 5-22-79 / Transfer of Indian educations functions; comments by 6-21-79

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26115 5-4-79 / National Credit Union Administration Central Liquidity Facility; membership and lending; comments by 6-18-79

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22746 4-17-79 / Public records; advance notice of proposed rulemaking; comments by 6-18-79

32489 6-6-79 / Yellowcake packaging and transportation accidents; comment period extended to 6-21-79

[Originally published at 44 FR 22391, 4-19-79]

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23530 4-20-79 / Merit pay system; implementation; comments by 6-19-79

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23258 4-19-79 / Leverage to unincorporated small business investment companies; comments by 6-18-79

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25883 5-3-79 / Special Anchorage Area, Lower Harbor, Marquette, Mich.; comments by 6-19-79

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23880 4-23-79 / Incorporation by reference provisions; comments by 6-22-79

National Highway Traffic Safety Administration—

30130 5-24-79 / Uniform tire quality grading; consumer information; comments by 6-20-79

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29916 5-23-79 / Revised customs form to facilitate entry of imported merchandise; comments by 6-22-79

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23883 4-23-79 / Exclusion from subpart F income of certain earnings of insurance companies; comments by 6-22-79

23880 4-23-79 / Provisions for investment in U.S. property by controlled foreign corporations; comments by 6-22-79

23541 4-20-79 / Qualified retirement plans; minimum participation standards; comments by 6-19-79

23262 4-19-79 / Tax treatment of grantors of certain options to buy or sell property; comments by 6-18-79

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29996 5-23-79 / Advisory Committee on Actuarial Examinations, Dallas, Tx. (open), 6-20-79

AGING, FEDERAL COUNCIL

30765 5-29-79 / Long-Term Care Committee, Washington, D.C. (open), 6-21-79

AGRICULTURE DEPARTMENT

Agricultural Marketing Service—

30142 5-24-79 / Flue-Cured Tobacco Advisory Committee, Raleigh, N.C. (open), 6-21-79

23858 4-23-79 / Beef research and information order, Pittsburgh, Pa. and Hapeville, Ga., 6-19 and 6-21-79

Forest Service—

32715 6-7-79 / National Forest System land resource management planning, Asheville, N.C. (open), 6-20 and 6-21-79

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32324 6-5-79 / Architecture, Planning and Design Panel, Washington, D.C. (closed), 6-21 and 6-22-79

30494 5-25-79 / Humanities Panel, Washington, D.C. (closed), 6-21 and 6-22-79

32053 6-4-79 / Theatre Advisory Panel, Washington, D.C. (partially open), 6-21 through 6-23-79

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32269 6-5-79 / Iowa Advisory Committee, Des Moines, Iowa (open), 6-21-79

32269 6-5-79 / Minnesota Advisory Committee (open), St. Paul, Minn. (open), 6-20-79

30403 5-25-79 / New Hampshire Advisory Committee, Plymouth, N.H. (open), 6-18-79

30709 5-29-79 / South Carolina Advisory Committee, Columbia, S.C. (open), 6-20-79

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National Oceanic and Atmospheric Administration—

28835 5-17-79 / Mid-Atlantic Fishery Management Council, King of Prussia, Pa. (open), 6-19 and 6-20-79

32019 6-4-79 / South Atlantic Fishery Management Council, Ft. Pierce, Fla. (open), 6-19-79

COMMODITY FUTURES TRADING COMMISSION

32434 6-6-79 / State Jurisdiction and Responsibilities Advisory Committee, Delavan, Wis. (open), 6-21 and 6-22-79

CONSUMER PRODUCT SAFETY COMMISSION

31275 5-31-79 / Toxicological Advisory Board, Bethesda, Md. (open), 6-18-79

DEFENSE DEPARTMENT

Air Force Department—

29136 5-18-79 / USAF Scientific Advisory Board, Hanscom Air Force Base, Mass. (closed), 6-21 and 6-22-79

31279 5-31-79 / USAF Scientific Advisory Board, Washington, D.C. (closed), 6-18-79

Army Department—

32270 6-5-79 / Army Science Board, Washington, D.C. (closed), 6-20 and 6-21-79

Navy Department—

32270 6-5-79 / Naval Research Advisory Committee, Quantico, Va. and Washington, D.C. (partially open), 6-21 and 6-22-79

Office of the Secretary—

29954 5-23-79 / Defense Advisory Committee on Women in the Services, Washington, D.C. (open), 6-18 and 6-19-79

30148 5-24-79 / Defense Science Board Summer Study Panel on Comprehensive Test Ban, Arlington, Va. (closed), 6-19 and 6-20-79

24335 4-25-79 / Department of Defense Wage Committee, Washington, D.C. (closed), 6-19-79

28396 5-15-79 / Electron Devices Advisory Group, New York, N.Y. (closed), 6-20-79

ECONOMIC OPPORTUNITY, NATIONAL ADVISORY COUNCIL

31049 5-30-79 / Work Program for the Advisory Council 1980 Report, Berkeley, Calif. (open), 6-22 and 6-23-79

ENERGY DEPARTMENT

28706 5-16-79 / Committee on Materials and Manpower Requirements, Regulatory Impact Task Group, Houston, Tx. (open), 6-22-79

28706 5-16-79 / Committee on Unconventional Gas Sources, Tight Gas Reservoirs Task Group, Denver, Colo. (open), 6-22-79

Economic Regulatory Administration—

31701 6-1-79 / Fuel Oil Marketing Advisory Committee, Minneapolis, Minn. (open), 6-19 and 6-20-79

ENVIRONMENTAL PROTECTION AGENCY

31707 6-1-79 / Science Advisory Board, Technology Assessment and Pollution Control Committee, Washington, D.C. (open), 6-20 through 6-22-79

FEDERAL COMMUNICATIONS COMMISSION

31042 5-30-79 / Radio Technical Commission for Marine Services, Executive Committee Meeting, Washington, D.C. (open), 6-21-79

31042 5-30-79 / Radio Technical Commission for Marine Services, Special Committee No. 70, Washington, D.C. (open), 6-18 and 6-19-79

31042 5-30-79 / Radio Technical Commission for Marine Services, Special Committee No. 71, Washington, D.C. (open), 6-20-79

FEDERAL DEPOSIT INSURANCE CORPORATION

30425 5-25-79 / Advisory Committee on State and Federal Regulation of Banks, Washington, D.C. (open), 6-19 and 6-20-79

FEDERAL PREVAILING RATE ADVISORY COMMITTEE

29160 5-18-79 / Washington, D.C. (open), 6-21-79

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Alcohol, Drug Abuse, and Mental Health, Administration—

28726 5-16-79 / Basic Sociocultural Research Review Committee, Washington, D.C. (partially open), 6-20 through 6-22-79

27746 5-11-79 / Cognition, Emotion, and Personality Research Review Committee, Washington, D.C. (closed), 6-17-79

27746 5-11-79 / Criminal and Violent Behavior Review Committee, Silver Spring, Md. (partially open), 6-20 through 6-22-79

27746 5-11-79 / Epidimiologic and Services Research Review Committee, Chevy Chase, Md. (partially open), 6-18 through 6-20-79

28726 5-16-79 / Mental Health Research Education Review Committee, Rockville, Md. (partially open), 6-21 through 6-23-79

27746 5-11-79 / Mental Health Small Grant Review Committee, Washington, D.C. (partially open), 6-21 through 6-23-79

Center for Disease Control—

31320 5-31-79 / Safety and Occupational Health Study Section, Rockville, Md. (partially open), 6-18 through 6-20-79

Education Office—

32741 6-7-79 / Accreditation and Institutional Eligibility Advisory Committee, Alexandria, Va. (open), 6-20 through 6-22-79

32479 6-6-79 / Bilingual education national advisory council, Washington, D.C. (open), 6-21 through 6-23-79

25270 4-30-79 / Advisory Committee on Accreditation and Institutional Eligibility, Alexandria, Va. (open), 6-20 through 6-22-79

29975 5-23-79 / National Advisory Council on Equality of Educational Opportunity, Chicago, Ill. (open), 6-21 and 6-22-79

27630 5-10-79 / Population Education Program, Atlanta, Ga. (open), 6-19-79

27630 5-10-79 / Population Education Program, Boston, Mass. (open), 6-19-79

27630 5-10-79 / Population Education Program, Chicago, Ill. (open), 6-19-79

27630 5-10-79 / Population Education Program, Dallas, Tx. (open), 6-19-79

27630 5-10-79 / Population Education Program, Denver, Colo. (open), 6-19-79

27630 5-10-79 / Population Education Program, Kansas City, Mo. (open), 6-19-79

27630 5-10-79 / Population Education Program, New York, N.Y. (open), 6-19-79

27630 5-10-79 / Population Education Program, Philadelphia, Pa. (open), 6-19-79

27630 5-10-79 / Population Education Program, Sacramento, Calif. (open), 6-19-79

27630 5-10-79 / Population Education Program, Seattle, Wash. (open), 6-19-79

26236 5-14-79 / Revision of provisions for grants to State educational agencies for educational improvement, resources, and support, all regions (open), 6-19-79

Food and Drug Administration—

26899 5-8-79 / Carcinogenic residues in food-producing animals; criteria and procedures for evaluating assays, Washington, D.C., 6-21 and 6-22-79

[Originally published at 44 FR 23538, 4-20-79]

28413 5-15-79 / Cardiovascular and Renal Drugs Advisory Committee, Rockville, Md. (open), 6-21 and 6-22-79

National Institutes of Health—

31320 5-31-79 / Panel for the Review of Laboratory and Center Operations, Washington, D.C. (open), 6-23-79

27265 5-9-79 / Aging Review Committee, Bethesda, Md. (partially open), 6-21 and 6-22-79

25265 4-30-79 / "Aplastic Anemia: a Stem Cell Disease," San Francisco, Calif. (open), 6-17 through 6-19-79

27266 5-9-79 / Biomedical Library Review Committee, Bethesda, Md. (partially open), 6-18 through 6-20-79

27497 5-10-79 / Bio-Psychology Study Section, Washington, D.C. (open), 6-20 through 6-23-79

27497 5-10-79 / Cardiovascular and Pulmonary Study Section, Bethesda, Md. (open), 6-19 through 6-23-79

29973 5-23-79 / Community Programs and Rehabilitation Work Group, Denver, Colo. (open), 6-21 and 6-22-79

28878 5-17-79 / Conference on the Management and Logistics of Blood Banking, St. Petersburg, Fla. (open), 6-21 and 6-22-79

27496 5-10-79 / Diagnostic Radiology Study Section, Bethesda, Md. (open), 6-19 through 6-21-79

27496 5-10-79 / Experimental Therapeutics Study Section, Chevy Chase, Md. (open), 6-20 through 6-23-79

27267 5-9-79 / Genetic Basis of Disease Review Committee, Bethesda, Md. (partially open), 6-18 and 6-19-79

27267 5-9-79 / General Clinical Research Centers Committee, Bethesda, Md. (partially open), 6-21 and 6-22-79

28880 5-17-79 / Minority Access to Research Careers Review Committee, Bethesda, Md. (open and closed), 6-21 and 6-22-79

29973 5-23-79 / National Diabetes Advisory Board, Bethesda, Md. (open), 6-19-79

27498 5-10-79 / Neurology A Study Section, Bethesda, Md. (open), 6-20 through 6-23-79

27498 5-10-79 / Neurology B Study Section, Washington, D.C. (open), 6-20 through 6-23-79

27498 5-10-79 / Nutrition Study Section, Bethesda, Md. (open), 6-20 through 6-22-79

27498 5-10-79 / Pathobiological Chemistry Study Section, Chevy Chase, Md. (open), 6-20 through 6-23-79

24239 4-24-79 / Sickle Cell Disease Advisory Committee, Bethesda, Md. (open), 6-21 and 6-22-79

Office of the Assistant Secretary for Health—

28108 5-14-79 / Health Services Advisory Committees, Washington, D.C. and Rockville, Md. (partially open), 5-20-79

INTERIOR DEPARTMENT

Land Management Bureau—

28430 5-15-79 / Ely District (Nevada) Grazing Advisory Board; Ely, Nev. (open), 6-20-79

30449 5-25-79 / Presentation of Nevada wilderness inventory findings, various cities in Nevada (open), 6-19 through 6-21-79

30172 5-24-79 / Salt Lake District Grazing Advisory Board, Randolph, Utah (open), 6-19 through 6-21-79

National Park Service—

31325 5-31-79 / Chickamauga and Chattanooga National Military Park, Chattanooga, Tenn. (open), 6-20-79

31325 5-31-79 / De Soto National Memorial, Bradenton, Fla. (open), 6-21-79

31326 5-31-79 / Fort Pulaski National Monument, Savannah, Ga. (open), 6-21-79

Office of the Secretary—

32484 6-6-79 / Outer Continental Shelf policy committee, North Atlantic Region, Boston, Mass. (open), 6-21-79

LABOR DEPARTMENT

Occupational Safety and Health Administration—

24252 4-24-79 / Servicing multi-piece ring wheels, Washington, D.C. (open), 6-19-79

METRIC BOARD

31061 5-30-79 / Meeting, Boston, Mass. (open), 6-21 and 6-22-79

31048 5-30-79 / Voluntary metric conversion, Boston, Mass. (open), 6-21-79

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

29764 5-22-79 / NASA Advisory Council (NAC), Aeronautics Advisory Committee (AAC); Washington, D.C., (open), 6-20 and 6-21-79

31049 5-30-79 / NASA Advisory Council (NAC), Space Science Advisory Committee, Washington, D.C. (open), 6-21 through 6-23-79

31049 5-30-79 / NASA Advisory Council (NAC), Space Systems and Technology Advisory Committee, Washington, D.C. (open), 6-19 and 6-20-79

31754 6-1-79 / Space and Terrestrial Applications Steering Committee Proposal Evaluation Advisory Subcommittee, Hampton, Va. (closed), 6-18 through 6-22-79

NATIONAL SCIENCE FOUNDATION

31754 6-1-79 / Advisory Council Task Group No. 8, Cambridge, Mass. (open), 6-18-79

NUCLEAR REGULATORY COMMISSION

29183 5-18-79 / Portland General Electric Co., et al., Portland, Oreg. (open), 6-20-79

32054 6-4-79 / Reactor Safeguards Advisory Committee, Emergency Core Cooling Systems Subcommittee, Washington, D.C. (open), 6-19 and 6-20-79

PENSION POLICY, PRESIDENT'S COMMISSION

31336 5-31-79 / Meeting, Washington, D.C. (open), 6-22-79

SECURITIES AND EXCHANGE COMMISSION

31336 5-31-79 / Advisory Committee on Oil and Gas Accounting, Washington, D.C. (open), 6-19-79

SMALL BUSINESS ADMINISTRATION

31055 5-30-79 / Region III Advisory Council Executive Board, Bala Cynwyd, Pa. (open), 6-21-79

STATE DEPARTMENT

Office of the Secretary—

25718 5-2-79 / International Investment, Technology, and Development Advisory Committee, Washington, D.C. (open), 6-20-79

28905 5-17-79 / Ocean Affairs Advisory Committee, Washington, D.C. (open), 6-19-79

31760 6-1-79 / Shipping Coordinating Committee, Subcommittee on Safety of Life at Sea, Washington, D.C. 6-21-79

29785 5-22-79 / Study Group 6 of the U.S. Organization for the International Radio Consultative Committee (CCIR), San Diego, Calif. (open), 6-22-79

28438 5-15-79 / U.S. Organization for the International Radio Consultative Committee, Study Group 5, Seattle, Wash. (open), 6-19-79

TRANSPORTATION DEPARTMENT

Coast Guard—

32059 6-4-79 / New York Harbor Vessel Traffic Service Advisory Committee, New York, N.Y. (open), 6-20-79

Federal Aviation Administration—

28825 5-17-79 / Informal airspace meeting, Las Vegas, Nev., 6-19-79

31242 5-31-79 / Informal Air Space Meeting No. 56, San Leandro, Calif., 6-22-79

23402 4-19-79 / Jacksonville, Fla. terminal control area, Jacksonville, Fla. (open), 6-19-79

32001 6-4-79 / Terminal control area, Los Angeles, informal airspace meeting, Culver City, Calif., 6-19 and Van Nuys, Calif., 6-21-79 (both open)

Federal Highway Administration—

29787 5-22-79 / National Advisory Committee on Uniform Traffic Control Devices; Termination of Committee, Washington, D.C. (open), 6-20-79

National Highway Traffic Safety Administration—

28126 5-14-79 / National Driver Register Study, Clearwater Beach, Fla. and Claymont, Del. (open), 6-18-79 and 6-20-79

30187 5-24-79 / National Highway Safety Advisory Committee, Washington, D.C. (open), 6-19 through 6-21-79

[See also 44 FR 15823, Mar. 15, 1979; 44 FR 23402, Apr. 19, 1979]

15823 3-15-79 / Public Industry Technical Meetings, Ann Arbor, Mich. (open), 6-20-79

15822 3-15-79 / Regional Child Restraint Workshops, Seattle, Wash. (open), 6-21 and 6-22-79

15823 3-15-79 / Regional Safety Belt Usage Workshops, New York, N.Y. (open), 6-20 and 6-22-79

28906 5-17-79 / Safety, Bumper and Consumer Information Programs, Ann Arbor, Mich. (open), 6-20-79

VETERANS' ADMINISTRATION

29805 5-22-79 / Station Committee on Educational Allowances, Nashville, Tenn. (open), 6-18-79

Next Week's Public Hearings

AGRICULTURE DEPARTMENT

Agricultural Marketing Service—

32706 6-7-79 / Milk in Paducah, Ky. Marketing area, Paducah, Ky., 6-22-79

Animal and Plant Health Inspection Service—

26089 5-4-79 / Gypsy Moth and Browntail Moth quarantine, Chicago, Ill., 6-19-79

Rural Electrification Administration—

30353 5-25-79 / Proposed revision of REA environmental policies and procedures, Denver, Colo., 6-18; Little Rock, Ark., 6-19; Washington, D.C., 6-22-79

24899 4-27-79 / Texas/Great Lakes—Eastern Canada Service Investigation, Washington, D.C., 6-19-79

COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration—

32018 6-4-79 / Proposed Elkhorn Slough Estuarine Sanctuary, environmental impact, Monterey, Calif., 6-20-79

ENERGY DEPARTMENT

Economic Regulatory Administration—

31162 5-31-79 / Imports of middle distillates, emergency adoption of final rule providing entitlement benefits, Washington, D.C., 6-20-79

26712 5-4-79 / Mandatory petroleum allocation; motor gasoline allocation base period and adjustments; San Francisco, Calif., 6-19-79

Federal Energy Regulatory Commission—

29090 5-18-79 / Alternative full cost ceiling on incremental pricing under the Natural Gas Policy Act of 1978, Washington, D.C., 6-18-79

30726 5-29-79 / American Electric Power Service Corp., oral argument, Washington, D.C., 6-20-79

29101 5-18-79 / Natural Gas Policy Act of 1978, procedures to assess civil penalties for knowing violations, Washington, D.C. 6-22-79

ENVIRONMENTAL PROTECTION AGENCY

32470 6-6-79 / Diesel NO_x emission standard, Washington, D.C. 6-21-79

FEDERAL RESERVE SYSTEM

25850 5-3-79 / Electronic Funds Transfer; Washington, D.C., 6-18 and 6-19-79

HEALTH, EDUCATION, AND WELFARE DEPARTMENT

National Institutes of Health—

16498 3-19-79 / National Diabetes Advisory Board, long-range plan to combat diabetes, St. Louis, Mo., 6-20-79

INTERIOR DEPARTMENT

Land Management Bureau—

30770 5-29-79 / North Atlantic OCS oil and gas sale No. 42, Somerville, Mass., 6-20-79

LABOR DEPARTMENT

Mine Safety and Health Administration—

29692 5-22-79 / Mine Rescue Teams, 6-19 through 6-21-79

NUCLEAR REGULATORY COMMISSION

30786 5-29-79 / Atomic Safety and Licensing Appeal Board, Bethesda, Md., 6-18-79

33502 6-11-79 / Cincinnati Gas and Electric Co. (William H. Zimmer Nuclear Station) Cincinnati, Ohio, 6-19-79

SECURITIES AND EXCHANGE COMMISSION

26688 5-4-79 / Off-board trading restrictions; Washington, D.C., 6-20-79

TRANSPORTATION DEPARTMENT

Federal Highway Administration—

28946 5-17-79 / Highway beautification program reassessment, Atlanta, Ga., 6-19-79

28946 5-17-79 / Highway beautification program reassessment, Dallas, Tex. 6-19-79

28946 5-17-79 / Highway beautification program reassessment, Denver, Colo., 6-18-79

Federal Railroad Administration—

29787 5-22-79 / Consolidated Rail Corp. Hearing, Allentown, Pa., 6-22-79

List of Public Laws

Note: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's List of Public Laws.

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Documents Relating to Federal Grants Programs

This is a list of documents relating to Federal grants programs which were published in the Federal Register during the previous week.

RULES GOING INTO EFFECT

32359 6-6-79 / Commerce/EDA-Organizational structure of economic development districts and assistance under grant and loan programs; effective 6-6-79

33372 6-8-79 / HUD/CPD—Community development block grants; Urban development action grants; effective 6-28-79

DEADLINES FOR COMMENTS ON PROPOSED RULES

33372 6-8-79 / HUD/CPD—Community development block grants; Urban development action grants; comments by 8-7-79

33184 6-8-79 / LSC—Grants and contracts; Arizona; comments or recommendations

33022 6-7-79 / HEW/OE—Proposed rules for Corrective Education Demonstration Program; comments by 8-6-79

33036 6-7-79 / HEW/OE—Preschool Partnership Program; comments by 8-6-79

33028 6-7-79 / HEW/OE—Safe Schools Program; proposed regulations; comments by 8-6-79

APPLICATIONS DEADLINES

32285 6-5-79 / HEW/HDSO—Native Hawaiian Economic Development Program project; apply by 7-30-79

32289 6-5-79 / HEW/HDSO—Rehabilitation short-term training projects of regional scope; apply by 7-13-79

32287 6-5-79 / HEW/HDSO—Social Development Program projects; apply by 7-30-79

32754 6-7-79 / Justice/LEAA—Evaluation of Law-Related Education Program; solicitation for grant applications; apply by 7-6-79

MEETINGS

32044 6-4-79 / HEW/ADMHA—National advisory committees, Bethesda and Rockville, Md. (partially open), 6-20 through 6-25-79 and 6-25 through 6-29-79

33022 6-7-79 / HEW/OE—Proposed rules for Correction Education Demonstration Program; meetings in each of the ten regions, 7-11-79

33036 6-7-79 / HEW/OE—Preschool Partnership Program; meetings in each of the ten regions; 7-9-79

33028 6-7-79 / HEW/OE—Proposed rules for Safe Schools Program; meetings in each of ten regions, 7-11-79

32045 6-4-79 / HEW/NIH—Allergy and Clinical Immunology Research Committee, Bethesda, Md. (open), 6-11 and 6-12 meeting rescheduled to 6-12-79 only

[*See also* 44 FR 27266, 5-9-79]

32045 6-4-79 / HEW/NIH—Cancer Control Grant Review Committee, Bethesda, Md. (partially open), 6-10 through 6-12-79

32046 6-4-79 / HEW/NIH—General Medicine B Study Section, Bethesda, Md. (partially open), 6-27 through 6-30 meeting rescheduled to 6-28 through 6-30-79

[*See also* 44 FR 27497, 5-10-79]

32045 6-4-79 / HEW/NIH—General Research Support Review Committee, Bethesda, Md. (partialy open), 6-28 and 6-29-79

32046 6-4-79 / HEW/NIH—Microbial Chemistry Study Section, Bethesda, Md. (partially open), 6-6 through 6-8 meeting rescheduled to 6-7 and 6-8-79

[*See also* 44 FR 27497, 5-10-79]

32046 6-4-79 / HEW/NIH—Transplantation Biology and Immunology Committee, Bethesda, Md. (partially open), 6-14 and 6-15 meeting rescheduled to 6-15-79 only

[*See also* 44 FR 27269, 5-9-79]

32486 6-6-79 / NFAH-Architecture, planning, and design meetings and discussions given by grant applicants, Washington, D.C. (open) 6-25, 6-26, 6-28 and 6-29

32053 6-4-79 / NFAH—Artists-in-Schools Advisory Panel, Durham, N.C. (open), 6-25 through 6-27-79

32053 6-4-79 / NFAH—Media Arts Advisory Panel, Washington, D.C. (closed), 6-18 and 6-19-79

32053 6-4-79 / NFAH—Theatre Advisory Panel, Washington, D.C. (partially open), 6-21 through 6-24-79

33190 6-8-79 / NSF—Applied Science and Research Applications Policy Advisory Committee, Subcommittee for Applied Social and Behavioral Sciences, Washington, D.C. (closed), 6-25 and 6-26-79

33190 6-8-79 / NSF—Applied Science and Research Applications Policy Advisory Committee, Subcommittee for Applied Physical, Mathematical, and Biological Sciences and Engineering Sciences, Washington, D.C. (closed), 6-28 and 6-29-79

OTHER ITEMS OF INTEREST

32741 6-7-79 / HEW/HRA—Determination of population of health service areas

32743 6-7-79 / HEW/HRA—Determination of population of States

32407 6-6-79 / HUD/Sec.—Community Development Block Grants, Small Cities Program; transmittal of interim rule to Congress

Just Released

CODE OF FEDERAL REGULATIONS

(Revised as of July 1, 1978)

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